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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/975,896	10/10/2001	Murtaza Chiba	CISCO-4379	1169
28661	7590	12/18/2006	EXAMINER	
SIERRA PATENT GROUP, LTD. 1657 Hwy 395, Suite 202 Minden, NV 89423			CHANG, JUNGWON	
			ART UNIT	PAPER NUMBER
			2154	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		12/18/2006	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	09/975,896	CHIBA ET AL.	
	Examiner	Art Unit	
	Jungwon Chang	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 29 September 2006.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-3,5-7,9-11,13-19,21-24,26-34,36-39,41-44 and 46-48 is/are rejected.
- 7) Claim(s) 4,8,12,20,25,35,40,45 and 49 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. This Action is in response to RCE filed on 9/29/06. Claims 1-49 are presented for examination.
2. Claims 4, 8, 12, 20, 25, 35, 40, 45 and 49 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
3. Claim 22 and 37 are objected to under 37 CFR 1.75 as being a substantial duplicate of claims 21 and 36 respectively. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.
5. Claims 5-15 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to

one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. In claims 5 and 9, the limitation of VSA includes a Vendor-Extended-Type field else or elsewhere in said VSA was not described in the specification.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

i. Claim 16 recites the limitation "said VSA type field" in lines 4 and 6 (i.e., said Vendor Type field). There is insufficient antecedent basis for this limitation in the claim.

ii. Claim 21 recites the limitation "said VSA type field" in lines 4 and 7 (i.e., said Vendor Type field). There is insufficient antecedent basis for this limitation in the claim.

iii. Claim 36 recites the limitation "said VSA type field" in lines 5 and 7 (i.e., said Vendor Type field). There is insufficient antecedent basis for this limitation in the claim.

iv. Claims 5 and 9 recite the limitation "indicating said VSA includes a Vendor-Extended-Type field else or elsewhere in said VSA and said Vendor-Extended-Type field". It is not clear to understand what is meant by "Vendor-Extended-Type field

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else or elsewhere in said VSA and said Vendor-Extended-Type field".

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless —

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1, 2, 5, 6, 9, 10, 13, 16-18, 21-23, 26-28, 31-33, 36, 37, 38, 41-43, 46 and 47 are rejected under 35 U.S.C. 102(e) as being anticipated by Haverinen et al. (US 2002/0012433), hereinafter Haverine.

10. As to claim 1, Haverine discloses the invention substantially as claimed, including an apparatus for generating an extended-format Vendor Specific Attribute (VSA) packet (page 9, 0214 – page 10, 0237, “Vendor Specific Extension”) comprising:

a RADIUS-compliant server (page 8, 0067-0080, “authentication server”; page 16, 0323, “RADIUS protocol”; Remote Authentication Dial-In User service compliant server inherently authenticates subscribers and authorizes subscribers to access the network) for generating a VSA packet (figs. 3-6) including at least a Vendor-Type field (Vendor-Type, figs. 4-6); and

wherein said VSA packet includes a Vendor-Extended-Type field if said Vendor-

Type field contains a predetermined value (figs. 4-6; page 9, 0214 – page 10, 0237, “NEW_SESSION_KEY_REQUEST_VENDOR_TYPE...this value indicates that the particular type of this extension is a new session key request extension...the administration of the vendor type is done by the vendor) wherein said Vendor extended type field is a designed portion of said packet of a predetermined length of bits for identifying a Vendor-Type (subtype, figs. 4-6; page 10, 0230-0236, “Length: for the new session key request extension, the length is 26 bytes”).

11. As to claim 2, Haverine discloses wherein said Vendor-Extended-Type field is 32 bits in length (the length of the data packet field is inherently changeable; figs. 3-6; page 8, 0198; page 10, 0230-0236).

12. As to claims 5 and 46, it is rejected for the same reasons set forth in claim 1 above. In addition, Haverine discloses a method for generating an extended Vendor Specific Attribute (VSA) (page 9, 0214 – page 10, 0237, “Vendor Specific Extension”) comprising:

determining whether an extended format VSA is desired (page 8, 0190-0193; page 8, 0201 – page 9, 0209);

if an extended format VSA is desired, then generating an extended format VSA containing at least a Vendor-Type field having a predetermined value indicating a Vendor-Extended-Type field else in said VSA and a Vendor-Extended-Type field (figs. 4-6; page 9, 0214 – page 10, 0237, NEW_SESSION_KEY_REQUEST_VENDOR_TYPE...this value

indicates that the particular type of this extension is a new session key request extension...the administration of the vendor type is done by the vendor).

13. As to claims 6 and 47, Haverine discloses wherein said Vendor-Extended-Type field is 32 bits in length (figs. 3-6; page 8, 0198).

14. As to claim 9, it is rejected for the same reasons set forth in claims 1 and 5 above. In addition, Haverine discloses a program storage device readable by a machine, tangibly embodying a program of instructions executable by the machine to perform a method for generating an extended Vendor Specific Attribute (VSA) (page 5, 0131-0140).

15. As to claim 10, Haverine discloses wherein said Vendor-Extended-Type field is 32 bits in length (the length of the data packet field is inherently changeable; figs. 3-6; page 8, 0198; page 10, 0230-0236).

16. As to claim 13, it is rejected for the same reasons set forth in claim 9 above. In addition, Haverine discloses wherein said Vendor-Extended-Type field is 32 bits in length (the length of the data packet field is inherently changeable; figs. 3-6; page 8, 0198; page 10, 0230-0236).

17. As to claims 16, 21, 26 and 31, Haverine discloses a method for receiving an

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extended Vendor Specific Attribute comprising:

reading a Vendor Type field from said VSA (vendor type; figs. 4-6; page 10, 0230-0236);

determining whether said vendor type field includes a predetermined value (figs. 4-6; page 9, 0214 – page 10, 0237, “new session key request extension, new session reply extension, or SRES extension”);

determining a received packet contains an extended format VSA responsive to a determination that said vendor type field includes said predetermined value (page 10, 0230-0236, “vendor type: this value indicates new session key request extension, new session reply extension, or SRES extension”);

if said received packet contains an extended format VSA, then reading an extended value contained in a Vendor-Extended-Type field (page 9, 0202); and

if said received packet does not contain an extended format VSA, then processing said received packet as normal (page 9, 0203-0209).

18. As to claims 17, 22, 27 and 32, Haverine discloses wherein said act of determining whether a received packet contains an extended format VSA is performed by examining said received packet to determine whether a Vendor-Type field contains a predetermined value (figs. 4-6; page 9, 0214 – page 10, 0237, “NEW_SESSION_KEY_REQUEST_VENDOR_TYPE...this value indicates that the particular type of this extension is a new session key request extension...the administration of the vendor type is done by the vendor).

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19. As to claims 18, 23, 28 and 33, Haverine discloses wherein said Vendor-Extended-Type field is 32 bits in length (figs. 3-6; page 8, 0198).

20. As to claims 36 and 41, they are rejected for the same reasons set forth in claims 16, 21, 26 and 31 above. In addition, Haverine discloses a program storage device readable by a machine, tangibly embodying a program of instructions executable by the machine to perform a method for generating an extended Vendor Specific Attribute (VSA) (page 5, 0131-0140).

21. As to claims 37 and 42, Haverine discloses wherein said act of determining whether a received packet contains an extended format VSA is performed by examining said received packet to determine whether a Vendor-Type field contains a predetermined value (figs. 4-6; page 9, 0214 – page 10, 0237, “NEW_SESSION_KEY_REQUEST_VENDOR_TYPE...this value indicates that the particular type of this extension is a new session key request extension...the administration of the vendor type is done by the vendor).

22. As to claims 38 and 43, Haverine discloses wherein said Vendor-Extended-Type field is 32 bits in length (figs. 3-6; page 8, 0198).

Claim Rejections - 35 USC § 103

23. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

24. Claims 3, 7, 11, 14, 15, 19, 24, 29, 30, 34, 39, 44 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haverinen et al. (US 2002/0012433), hereinafter Haverine, in view of AAPA (Applicant Admitted Prior Art).

25. As to claims 3, 7, 11, 14, 15, 19, 24, 29, 30, 34, 39, 44 and 48, Haverine discloses a VSA packet, which has a field sequence of a type field followed by a Length field followed by a vendor identification field followed by a vendor type field followed by said vendor-extended type field (figs. 3-6). However, Haverine does not specifically disclose an internal length. AAPA discloses an internal length (page 2, lines 3-7, "length of inner value"). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Haverine and AAPA because AAPA's internal length field would properly indicate the length of the attribute.

Conclusion

26. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Dommetty et al, "Mobile IP Vendor/Organization-Specific Extensions draft-ietf-mobileip-vendor-ext-02.txt", November 1999.

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27. Applicant's arguments filed on 4/7/2006 have been fully considered but they are not persuasive.

(1) The applicant asserts on page 14 of the Remarks that "Haverinen does not teach this limitation. Instead, the cited portions of Haverinen merely teach a specific configuration in the Vendor type field that refers to a specific type of packet. In Haverinen, the specific type of message is a NEW_Session_Key_Request_Vendor_Type. See Page 10, paragraph 230 and paragraph 233. In the recited limitation, the specific value in the vendor-type field indicates that the packet includes another field ***elsewhere in the packet***.

In response to argument (1), the Examiner respectfully disagrees. On page 10, paragraph 230 and paragraph 233 of Haverinen, which recites in part:

Vendor Type: NEW_SESSION_KEY_REQUEST_VENDOR_TYPE. **This value indicate that the particular type of this extension is a New Session Key Request extension**. The administration of the Vendor-Types is done by the Vendor.

Subtype:
1. MT-FA New Session Key Request extension
2. MT-HA New Session Key Request extension

The embodiments above explicitly discloses the value in the vendor-type field indicates that the particular type of the extension (subtype) in the packet (Also see figs. 4-6; paragraph 231, "vendor specific extension"). Furthermore, the newly amended claims 5 and 9 include the features of "**the Vendor-Extended-Type field elsewhere in the VSA packet**".

(2) The applicant asserts on page 14 of the Remarks that "Applicants have amended claim 1 to make this more clear. Specifically, the Vendor Extended Type field which allows

for the user of more vendor types than are currently available in a conventional VSA message."

In response to argument (2), the subtype of Haverinen has the same functionality as the vendor extended type of the present application.

28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jungwon Chang whose telephone number is 571-272-3960. The examiner can normally be reached on 9:30-6:00 (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

December 14, 2006

Jungwon Chang
JUNGWON CHANG
PRIMARY EXAMINER
TECHNOLOGY CENTER 2100